

RECEIVED

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

FEB 14 2003

Federal Communications Commission
Office of Secretary

In the Matter of)
)
Amendment of Section 73.202(b))
Table of Allotments) MB Docket No. 02-387
FM Broadcast Stations) RM - 10623
(Lahaina and Waianae, Hawaii))

To: Assistant Chief, Audio Division
Media Bureau

COMMENTS

Pacific Radio Group, Inc. ("Pacific"), licensee of Station KLHI(FM), Lahaina, Hawaii, by its counsel, hereby file Comments in support of the Notice of Proposed Rule Making ("NPRM") DA 02-3568, released December 24, 2002. In support hereof, Pacific states as follows:

1. The NPRM proposed the reallocation of Channel 266C from Lahaina to Waianae, Hawaii, as its first local service. The NPRM acknowledges that Pacific filed a Tuck¹ analysis demonstrating that Waianae is independent Honolulu Urbanized Area. The NPRM requested that a Tuck showing be provided with regard to the Kailua-Kaneohe Urbanized Area.

2. Pacific states that with regard to the Kailua-Kaneohe Urbanized Area, the Tuck showing provided in the petition applies equally to the Kailua-Kaneohe Urbanized Area. In particular, Pacific demonstrated that 24.8% of the residents worked in Waianae. Waianae has two local monthly newspapers and a website. The community has its own separate identity and look to their City Hall for local governmental services. Waianae, like all communities in Hawaii,

¹ Faye and Richard Tuck, 3 FCC Rcd 5374 (1988)

No. of Copies rec'd
List ABCDE
0+4

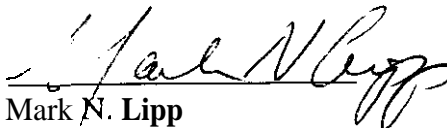
are Census Designated Places (CDP) and rely on Honolulu County for governmental services. However, Waianae does have a Neighborhood Board that recommends initiatives to the County Council and elects their own council member. Waianae has its own Zip Code (96792) with two post offices and is part of a telephone directory for the Leeward Coast. Waianae has numerous businesses and health care providers which are set forth in the Petition. It also has numerous religious organizations. Waianae has its own schools and library which are operated by the state. The city operates its parks and recreation services. The relevant supporting documents are provided in the Petition and not resubmitted here. They demonstrate that the residents of Waianae are not dependent for any of the Tuck factors on Kailua or Kaneohe.

3. The Kailua and Kaneohe area is located on the eastern side of Oahu Island while Waianae is located on the western side. There are several large mountain ranges located between the two coasts that limit the ability of residents to travel from coast to coast and make Waianae's proximity to Kailua-Kaneohe even greater than the actual distance between the communities which is 44 km to Kailua and 40 km to Kaneohe. As for relative sizes, Waianae has 10,506 persons (2000 U.S. Census) while Kailua's population is (36,516) and Kaneohe's population is (34,970). Thus, Waianae's population is 28.7% of that of Kailua and 30% of that of Kaneohe.

4. Pacific hereby reaffirms its interest in applying for Channel 266C at Waianae if the proposal is granted and constructing the facility if the permit is granted. Accordingly, Pacific urges the Commission to grant the proposal and provide Waianae its first local service.

Respectfully submitted,

PACIFIC RADIO GROUP, INC.

By: 
Mark N. Lipp
Shook, Hardy & Bacon
600 14th Street, NW
Suite 800
Washington, DC 20005-2004
(202) 783-8400

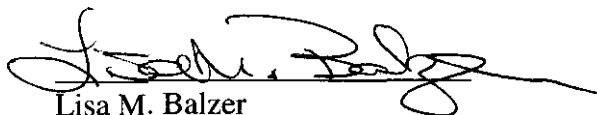
Its Counsel

February 14, 2003

CERTIFICATE OF SERVICE

I, Lisa M. Balzer, a secretary in the law firm of Shook, Hardy and Bacon, do hereby certify that I have on this 14th day of February, 2003, have hand delivered a copy of the foregoing "Comments" to the following:

R. Barthen Gorman
Federal Communications Commission
Audio Division
445 12th Street, SW
Room 3-A224
Washington, DC 20054


Lisa M. Balzer